



*"The broad Atlantic's ceaseless waves  
That break on the Fenwick shore  
Have reflected the beams of the Fenwick Light  
For hundred years and more.  
And many the Sussex sailor-man  
Possessed by the urge to roam  
Was cheered by the sight of the Fenwick Light  
When he 'followed the water' home."*

**Virgil Wiley, 1966  
Fenwick's First Mayor**

**BEACH REPLENISHMENT:** Beach replenishment has been completed in Fenwick. Fenwick was originally scheduled for beach replenishment to begin in late June and run through the first part of July. Mayor Magdeburger was able to speak to Lt. Col. Brigantti about the impact that a late replenishment would have on our summer season and he assured her that he would work hard to try and get replenishment completed earlier. Lt. Col. Brigantti is now our hero as he delivered on his promise in a big way for us. We hope you enjoy a wide-open beach and remember to thank Lt. Col. Brigantti and the Army Corp of Engineers for getting a second dredge and changing up the schedule to make Fenwick first.

**SIDEWALKS:** The sidewalk project is almost complete. The sidewalks are all installed and the only remaining part of the project to complete is to add some plantings in the two blocks that allow for green space. We have seen lots of pedestrians already using our new thoroughfare and it appears both the pedestrians using the sidewalks and the businesses benefiting from them are pleased with the final result. This project has been 20 years in the making and the Town could not be happier, particularly since we were able to construct the sidewalks with money we received from grants. Thank you Representative Gray for looking out for us! As for obtaining sidewalks along the rest of Coastal Highway, DelDOT advised Mayor Magdeburger that they will move Fenwick up to the 2024 budget year cycle (they previously had Fenwick penciled in for the 2028 budget cycle) for funding for engineering studies. If DelDOT adheres to this plan, DelDOT could be ready to bid on the project in 2025, with an estimated build time in the fall of 2025 (DelDOT previously had Fenwick penciled into build sometime in the 2029/2030-time frame). So, fingers crossed that DelDOT will stay on this new schedule!





Fenwick celebrates our 70<sup>th</sup> birthday this summer! **Please plan on attending an old-time Fenwick Island Camp Meeting at Town Hall on July 1<sup>st</sup> from 4-7 p.m.** We will have food, lots of activities, Fenwick swag and give-a-ways. As we move forward to our birthday, we invite you to learn about Fenwick's history, through our "Old Fenwick Series" published at <https://www.facebook.com/TownofFenwickIsland> and to visit our renovated Town Hall which features the many faces of the sons and daughters of Fenwick. We have been posting pictures and stories since January so if you have not seen it, please catch up with the series.

**PLANNING COMMISSION TEN YEAR COMPREHENSIVE PLAN:** At the most recent Town Council meeting, the Town Council received and approved the new Ten Year Comprehensive Plan. The Planning Commission has been working on the plan for the last two years and has been meeting weekly in the last several months to get it completed. If you have not already read the Comprehensive Plan, please try and do so. The Comprehensive Plan provides the framework for planning, design and development decision making and is required by State law. The Comprehensive Plan process also provides an opportunity for Fenwick to get in front of State agencies for funding and approval of projects. Some of the key issues that the new Comprehensive Plan addresses focus on Pedestrian Safety, Resiliency as well as the Ocean and the Bay.

**FENWICK FLICKS:** The Beach Committee, chaired by Jacque Napolitano, will be returning "Fenwick Flicks on the Beach" this summer. While the first movie was



cancelled due to poor weather, the Flicks will return on July 19th with a showing of "Surf's Up" and August 16th featuring "Moana" and will start at dusk at Bayard Street. Please come out and bring the kids for a fun-filled family evening!

**TOWN BONFIRE TO SUPPORT THE FENWICK ISLAND BEACH PATROL:** Please mark your calendar for July 8, 2023, for the Annual Beach Patrol Bonfire. The Beach Committee has activities for the kids planned as well as a silent auction to benefit the F.I.B.P.



**REMEMBER ME BY THE SEA SIGNS:** The Lost Child signs will be placed on the beach to help children who cannot yet read find their way. Sea creatures will be depicted so a parent can explain to the child as they cross the dune what street they are on in the event the child becomes lost. Thank you to Anne Hodges and the Beach Committee for coming up with this idea.

**UPDATE ON THE OLD "DQ" SITE:** Town Council was asked to consider whether the building constituted a public nuisance under Chapter 69 of the Code of Fenwick Island. After discussing the concerns, Town Council contacted the owner and asked the owner to better secure the property to prevent a person from entering as well as to seek information regarding the safety of the building. The owner, Balsamo Real Estate LLC, decided to move forward with demolition and has stated that it is working with the Sodel Company to build a Surf Bagel on the site. While we will all mourn the old DQ, which served the last of the ice cream we grew up loving in 2018, we look forward to seeing a new business come to Town and thank Balsamo Real Estate LLC for responding to our request.

**MOBI-MATS AND DUNE CROSSOVERS:** Many of the Mobi-mats were in disrepair, particularly after Hurricane Ian. We have repaired or replaced the damaged mats and smoothed out the dune crossovers with the hope of making it easier for everyone to cross.

**BIKE RACKS AND TRASH BIN ENCLOSURES:** Thank you to the Beach Committee and Public Works for getting the updated bike racks and Trash Bin Enclosures onto all of our dune ends this year. We had several completed last season and with the positive feedback spent the winter making sure that all of our dune ends would benefit this year. Please remember to place your trash in the receptacles so we can keep our beach and dune ends clean.

**CONSTRUCTION DAYS:** Town Council unanimously voted to approve an ordinance that would eliminate Saturday construction hours during the summer season (May 15th

to September 15<sup>th</sup>). Saturday construction would be permitted from September 16<sup>th</sup> through May 14<sup>th</sup> thereafter). Hours of construction will remain the same of 8 a.m. to 6 p.m. but will now be Monday through Friday.

**IT UPDATES:** Our IT committee, chaired by Lisa Lange, is moving forward with plans to update our town's website (not updated since 2012) and creating a unified document management system. Currently, our records are paper files with no backup and if we suffer a catastrophic event such as a fire or damage from a storm, the records would be lost. Town Council authorized a project to begin digitizing our Town documents and records are now being scanned. Once the website is up and running, efforts will be made to link public documents so that they can be retrieved more freely.

**BUDGET FOR FISCAL YEAR 2024:** Town Council unanimously passed the budget for fiscal year 2024 after receiving a recommendation to do so from the Budget and Finance Committee. Consistent with prior years, the Town has been able to refrain from raising property taxes to cover budgeted operating losses through the use of funds it receives from the Realty Transfer Tax ("RTT" – tax the Town obtains when property is sold). As of May 31, 2023, the total cash reserves are \$5.6 million dollars, representing an overall increase of \$2.3 million dollars (69%), from July 31, 2021. Through May 31, 2023, the Town generated operating income of \$533,000 as compared to a full-year budgeted loss of \$295,000. The Town revenues have exceeded the budget primarily due to the high levels of building permits while at the same time maintaining overall expenses consistent with expectations. Inflationary factors, mainly salary and health care related, did not spare Fenwick and the budgeted loss for FY2024 is anticipated to be \$495,000; however, we are pleased to report that due to the increases in RTT funds and general operating reserves, the Town will be able budget for that loss without needing to increase revenue through increased property taxes on its residents.

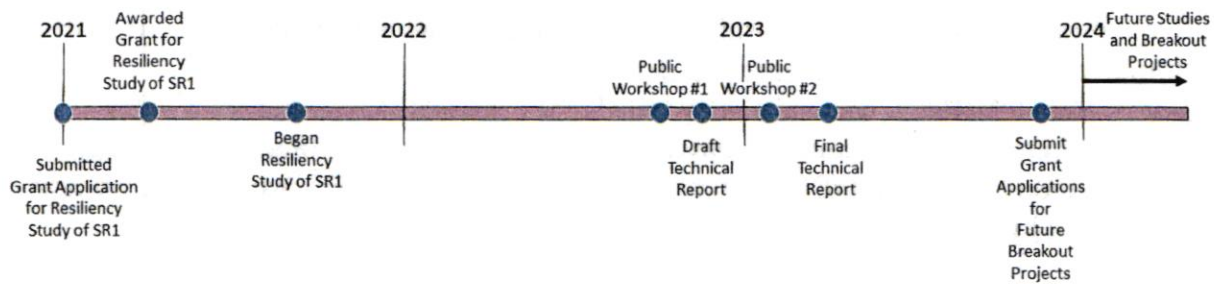
**INFRASTRUCTURE/RESILIENCY:** The Infrastructure Committee, chaired by Richard Benn, has undertaken a survey to provide visual guidance on the projected sea level rise and how it may impact our bulkheads. There is NO decision on whether changing the heights of bulkheads will be the direction the Town will take but the visualization of the height recommended by the engineering company that undertook the Resiliency Study will be a starting point to have a community wide discussion on how to proceed. The Infrastructure Committee will be hosting a listening session on Thursday, August 31<sup>st</sup> in the afternoon (EXACT TIME TO BE ANNOUNCED) to secure community input prior to making any recommendations to the Town Council.

DelDOT also hosted an update on Resiliency plans that they are undertaking for Route 1.

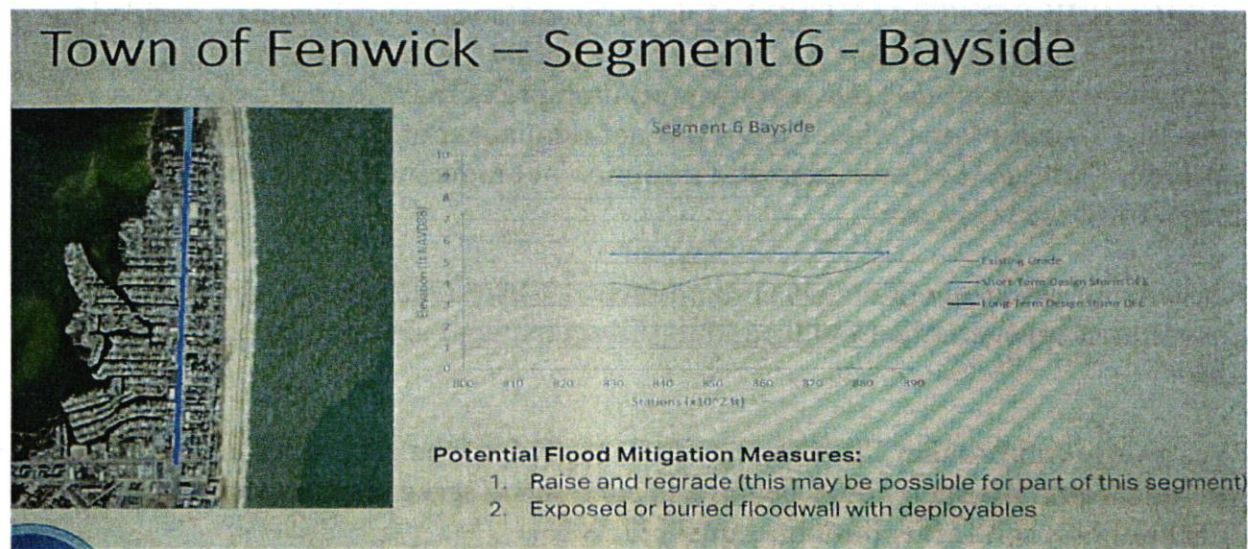
There timeline is:



## SR1 Resiliency Study Timeline



For the Fenwick Island segment, the DelDOT plan includes raising and regrading portions of Route 1 and installing a floodwall with deployables as depicted below:



During DelDOT's presentation, Mayor Magdeburger asked what effect the deployables may have on properties west of the highway and whether DelDOT intended to work with municipalities to discuss approaches that would protect both the highway and the Town. DelDOT responded that they would be undertaking additional modeling and would provide additional information as it became available. Going forward, it will be important to coordinate any Resiliency efforts the Town undertakes with DelDOT as well as with the Army Corp of Engineers as they undertake their three year Back Bays Study.

**PARKING HOURS:** Metered parking hours went into effect May 15<sup>th</sup> and require either a permit (residents received a hang tag and two decals) or Park Mobile payment from 8 a.m. until 10 p.m.

**ALGAE BLOOMS:** Algae blooms have been removed by DNREC. The Town contacted DNREC in early May due to the high concentration of algae blooms in our

canals. DNREC has jurisdiction over our waterways and does not allow action without their permission. DNREC has the scientific expertise to assess, equipment to remove and, most importantly, the site to safely place removed algae once harvested (due to the potential toxicity, our trash company will not collect removed algae even if bagged). While DNREC was very busy with all the requests to respond for algae harvesting this year, they came to Fenwick at the beginning of June and safely removed the algae blooms that remained in our canals. As this is a DNREC project, there was no cost incurred by the Town and we thank DNREC for responding.

**NEW BUSINESS IN TOWN:** Please give a warm Fenwick Island welcome to J.R.'s Seafood Shack in the location where *Just Hooked* had been. All of our businesses are now open and are looking forward to seeing you as well!

**POLICE CHIEF CONTRACT UPDATE:** The Town Council unanimously decided to allow Chief Devlin's contract of employment with the Town to expire on August 31, 2023, and gave notice that the Town was declining to exercise the option of a two-year renewal. To make clear, Chief Devlin was not terminated or fired from his position. Rather, the Town exercised its option not to renew Chief Devlin's contract for an additional two years.

The date for a decision of renewal or non-renewal, May 1, 2023, was memorialized in the contract between Chief Devlin and the Town that was executed by both parties in 2020.

We can also confirm that Chief Devlin did not apply for the position of Police Chief that was advertised. As such, Chief Devlin will continue to serve in his capacity as Police Chief until his contract expires on August 31, 2023.

We want to emphasize that Chief Devlin's duties have not been limited or curtailed; to the contrary, we continue to expect Chief Devlin to perform his duties in a professional manner, including, but not limited to ensuring that Fenwick Island has adequate police coverage. In addition, there are officers within the department who will and have endeavored to make sure Fenwick Island remains safe during the transition.

While we would like to respond to questions regarding the decision, in keeping with Town policies, we will refrain from discussing personnel matters publicly at this time as it is not in the best interests of Chief Devlin or the Town.

**TOWN'S STATEMENT ON ALLEGATIONS OF "SECURITY BREACH" IN THE POLICE BUILDING:** An allegation has been made that the Mayor "gained unauthorized access" to the Town's police department and "breached the door" to the police building on April 23, 2023. This allegation is recklessly false, misleading and inflammatory.

For years, members of Town Council and Town staff have had access to the Town's police building, as well as Town Hall, through the use of a security door code. Chief Devlin had personally provided the security door code to gain access to the police building to the Mayor and had shown her how to use it.

On April 23, 2023, the Mayor visited the police building, on her way home from being out of town, to obtain a copy of the police schedule so she could plan ride-a longs with officers to learn more about their duties and how they were responding to Route 1 safety issues. Because police cars were parked in front of the building, it was evident that officers were in the building.

The Mayor used the door code given to her by Chief Devlin to enter the outer door to the police building, and an officer in the interior of the police building (where the squad area and computer equipment is located) opened the interior door. A second officer was also present in the building. The Mayor was, at all times, escorted by officers while she was in the squad area of the police building.

The Mayor did not seek access, nor was she given access, to any information contained in the Delaware Criminal Justice Information System ("DELJIS"). The Mayor conversed with the officers in the police building, was provided a copy of a police schedule she had requested, and then left. The interaction with the officers was cordial and professional.

The ride-a longs the Mayor was attempting to schedule started the following day.

**UPDATE ON SEARCH FOR NEW POLICE CHIEF:** The Town has undertaken a search for a new Police Chief and the Town received a number of applications from very qualified law enforcement candidates for the position. With the assistance from Police Chiefs from neighboring jurisdictions, the Town Council is seeking to hire a candidate that will, among other policing related matters, offer solutions to the Route 1 safety concerns that have been raised by our residents.

**PURCHASE OF BODY CAMERAS AND MVR DEPLOYMENT:** The Town Council authorized the purchase of body cameras for each of our officers as well as MVR (Mobile Video Recorders/dash cameras) for all vehicles. The police department has been sharing 4 body cameras and the batteries did not last through an entire shift. For those officers who did not have an MVR with an in-car charging port, this could lead to a traffic stop without a working body camera or require a return to the Police Department to exchange the camera. In addition, our officers have vehicles that they take home after their shift and they did not have a body camera to utilize in the event of an accident or response to an out of jurisdiction matter when they were not on shift. Unfortunately, that circumstance came to pass before we were able to secure the



additional body cameras as one of our officers was involved in an accident on the way to work in early June.

MVRs provide video recording of any traffic stop from the dash of the police vehicle. In addition, the MVR has an in-car charging port that would allow a body camera to be charged while the officer was operating the vehicle. The department had two vehicles with operating MVRs. In addition, there were two additional MVR units that were still new in the box which had not been deployed in any vehicles. We requested that the MVR units be immediately installed and are pleased to announce that one is now in a vehicle and the other should be this week. We have also authorized the purchase of MVRs in all vehicles as well as upgrades to the system so that body cameras will synchronize with the MVR when making a traffic stop.

The Town Council believes that the body camera and MVR additions will improve safety for the officers as well as assist them in recording evidence during traffic stops.

**RESIDENTIAL CONCERNS COMMITTEE HELD SESSION WITH DELDOT RE: NEW ROUTE 54 BRIDGE LIGHTING CONCERNS:** DelDOT attended a Residential Concerns Committee meeting, chaired by Janice Bortner, where Rose Mary Hoy gave an informative presentation on "Dark Skies" lighting concerns with the hope that DelDOT will consider following such proposals when building the new Route 54 bridge into Fenwick. DelDOT will be hosting another meeting to discuss the bridge design at another date and we will keep you informed once the date/time and location are confirmed with us.

**NEW NEIGHBORS PACKET COMPLETED:** The Residential Concerns Committee, with the help of Town Staff, has completed a New Neighbor's Packet, to distribute to new residents. The packet has a brochure that will be helpful to new residents and contains material relating to beach and Town information.

**DREDGING UPDATE:** The Town is negotiating an agreement with a local developer to place dredge material on their property. Currently, the Town is performing additional sediment sampling and testing necessary to support the placement of material at that location. Lastly, the Town recently filed the necessary permit applications with DNREC and the US Army Corps of Engineers in connection with this project. We remain focused on having this project fully approved and construction completed by April 2024.

**PEDESTRIAN SAFETY UPDATE:** The Pedestrian Safety Committee looks forward to working with the Planning Commission and DelDOT to improve safety along Route 1 – engineering, enforcement and education will be key components of helping make Fenwick a safer community. With summer here, the Pedestrian Safety Committee hopes to remind everyone that we can all do our part by slowing down, watching for bicycles and pedestrians when entering/exiting Route 1, stopping at crosswalks along



Route 1 to allow pedestrians to cross and walk facing traffic while bicycling with traffic.

Summer is finally here! Let's make it a safe one. Enjoy.

Regards,

Natalie Magdeburger  
President of Fenwick Island Town Council/Mayor